

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

Case No. CV 12-5256-MWF (SP)

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Complaint, records on file, and the Report and Recommendation of the United States Magistrate Judge. Further, the Court has engaged in a de novo review of those portions of the Report to which plaintiff has objected. The Court has also considered the proposed first amended complaint plaintiff lodged at the same time he filed his objections.

IT IS THEREFORE ORDERED:

1           1.     The State Defendants' Motion to Dismiss (docket no. 26) and the City  
2 Defendants' Motion to Dismiss (docket no. 28) are GRANTED;

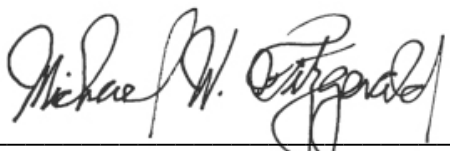
3           2.     The following defendants are DISMISSED WITH PREJUDICE:  
4 California Department of Justice, Division of Law Enforcement, Bureau of Firearms  
5 ("BOF"); Los Angeles City Attorney's Office; Carmen Trutanich; Bernie Brown;  
6 Malaika Cole; Alin Sahagian; Gregory Dorfman; Higa (official capacity only);  
7 Torres (official capacity only); Mejia (official capacity only); and Carol Parszik  
8 (official capacity only);

9           3.     The remaining defendants and claims are DISMISSED WITHOUT  
10 PREJUDICE and with leave to amend;

11          4.     The proposed first amended complaint (docket no. 54) is STRICKEN;  
12 and

13          5.     Within 30 days of the date of this Order, plaintiff may file a new First  
14 Amended Complaint to cure the deficiencies discussed in the Report and  
15 Recommendation, and in conformity with that Report. Plaintiff may not name as a  
16 defendant in the First Amended Complaint any defendant who has been dismissed  
17 with prejudice. If plaintiff chooses to file a First Amended Complaint, plaintiff must  
18 clearly designate on the face of the document that it is the "First Amended  
19 Complaint," it must bear the docket number of this case, and it must be retyped or  
20 rewritten in its entirety. The First Amended Complaint must be complete, in and of  
21 itself, without reference to the Complaint or any other pleading, attachment, or  
22 document. Any claim that was raised in a preceding complaint is waived if it is not  
23 raised again in the First Amended Complaint.

24  
25 DATED: April 5, 2013

  
HON. MICHAEL W. FITZGERALD  
UNITED STATES DISTRICT JUDGE